

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

11.399 ACRES OF LAND, MORE OR
LESS, SITUATE IN STARR COUNTY,
STATE OF TEXAS; AND JUAN
INDALECIO GARCIA,

Defendants.

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CASE NO. 7:20-CV-429

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule “A.”

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Hilda M. Garcia Concepcion*
HILDA M. GARCIA CONCEPCION
Assistant United States Attorney
Southern District of Texas No.3399716
Puerto Rico Bar No. 15494
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McAllen, TX 78501
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E-mail: Hilda.Garcia.Concepcion@usdoj.gov

SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved March 23, 2018, as Public Law 115-141, div. F, tit. II, 132 Stat. 348, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Starr County, Texas

Tract: RGV-RGC-6068
Owner: Juan Indalecio Garcia
Acres: 11.399

Being a 11.399 acre tract (496,528 sq ft) parcel of land, more or less, being out of a called 134.700 acres, calculated as 136.773 acres, in Porcion 78, abstract 82, Starr County, Texas, conveyed to Juan Indalecio Garcia, Doc.# 2018-3433649 and Doc.# 2018-344786. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker SR-01 2019, having the following NAD83 (2011) Grid Coordinates N=16662165.65, E=876387.48; Thence S60°43'27"W to an existing barbed wire fence, a distance of 4951.38 feet to a found iron rod on the West line of the Juan Indalecio Garcia TRACT, Doc.# 2018-3433649 and Doc.# 2018-344786, for the **Point of Commencement**, having the following coordinates: N=16659744.35, E=872068.52.

Thence: N29°59'17"W along said property line, along said fence, a distance of 179.81 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6085-1=6068-1, on the Southern boundary of the parcel herein described, for the **Point of Beginning**, having the following coordinates: N=16659900.09, E=871978.65.

Thence: N29°59'17"W along said property line, along said fence, departing said Southern boundary, a distance of 219.73 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6085-4=6068-2 for angle, said point being on the Northern boundary of the parcel herein described;

Thence: N77°07'20"E departing said property line, departing said fence, along said Northern boundary, crossing the center of an existing 14 foot wide dirt road at 60 feet, a distance of 431.86 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-2A for a Point on Line;

Thence: N77°07'20"E along said Northern boundary, a distance of 431.86 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-3 for angle;

Thence: N75°37'45"E along said Northern boundary, crossing the center of an existing 12 foot wide dirt road at 33 feet, a distance of 388.05 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-3A for a Point on Line;

SCHEDULE C cont'd

Thence: N75°37'45"E along said Northern boundary, crossing an existing barbed wire fence at 184.79 feet, departing the Juan Indalecio Garcia tract, Doc.# 2018-3433649 and entering the Juan Indalecio Garcia tract, Doc.# 2018-344786 at 243.50 feet, crossing the center of an existing 14 foot wide dirt road at 194 feet, a distance of 388.05 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-3B for a Point on Line;

Thence: N75°37'45"E along said Northern boundary, crossing the center of an existing 10 foot wide dirt road at 168 feet, a distance of 388.05 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-3C for a Point on Line;

Thence: N75°37'45"E along said Northern boundary, crossing the center of an existing 14 foot wide dirt road at 361 feet, a distance of 388.05 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6047-1=6068-4 for angle, said point being on the East line of the Juan Indalecio Garcia tract, Doc.# 2018-344786 and on the West line of the Iroquois, LLC tract, Volume 1500, Page 357;

Thence: S02°35'10"E departing said Northern boundary, along said property line, to an existing 10 foot wide dirt road, a distance of 214.52 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6047-8=6068-5 for angle, said point being on the Southern boundary of the parcel herein described;

Thence: S75°37'45"W along said Southern boundary, departing said property line, departing said dirt road, a distance of 377.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-5A for a Point on Line;

Thence: S75°37'45"W along said Southern boundary, crossing an existing 9 foot wide dirt road at 248 feet, a distance of 377.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-5B for a Point on Line;

Thence: S75°37'45"W along said Southern boundary, crossing an existing 12 foot wide dirt road at 166 feet, departing the Juan Indalecio Garcia tract, Doc.# 2018-344786 and entering the Juan Indalecio Garcia tract, Doc.# 2018-3433649 at 172.50 feet, crossing an existing barbed wire fence at 175.49 feet, a distance of 377.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-5C for a Point on Line;

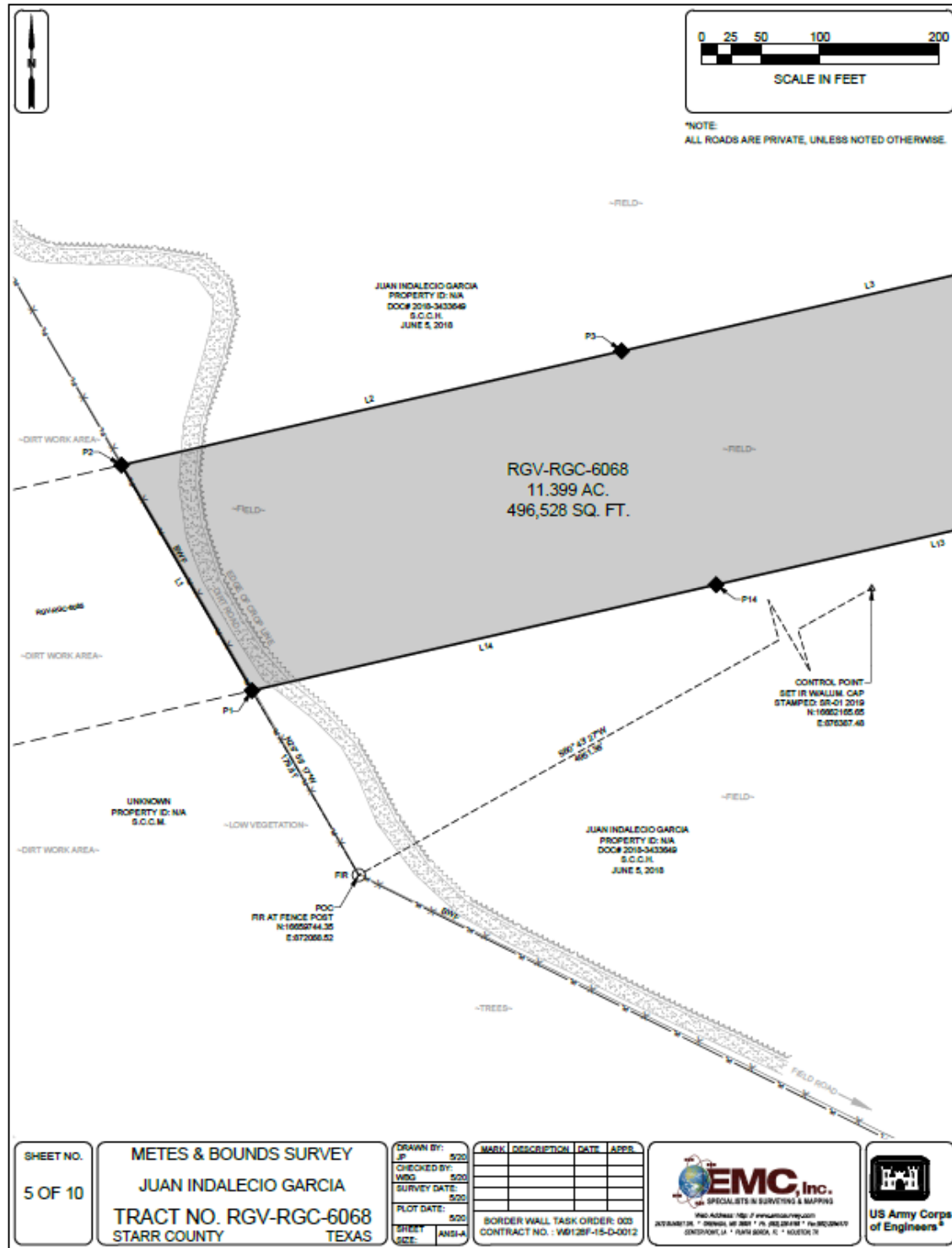
Thence: S75°37'45"W along said Southern boundary, crossing an existing 14 foot wide dirt road at 265 feet, a distance of 377.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-6 for angle;

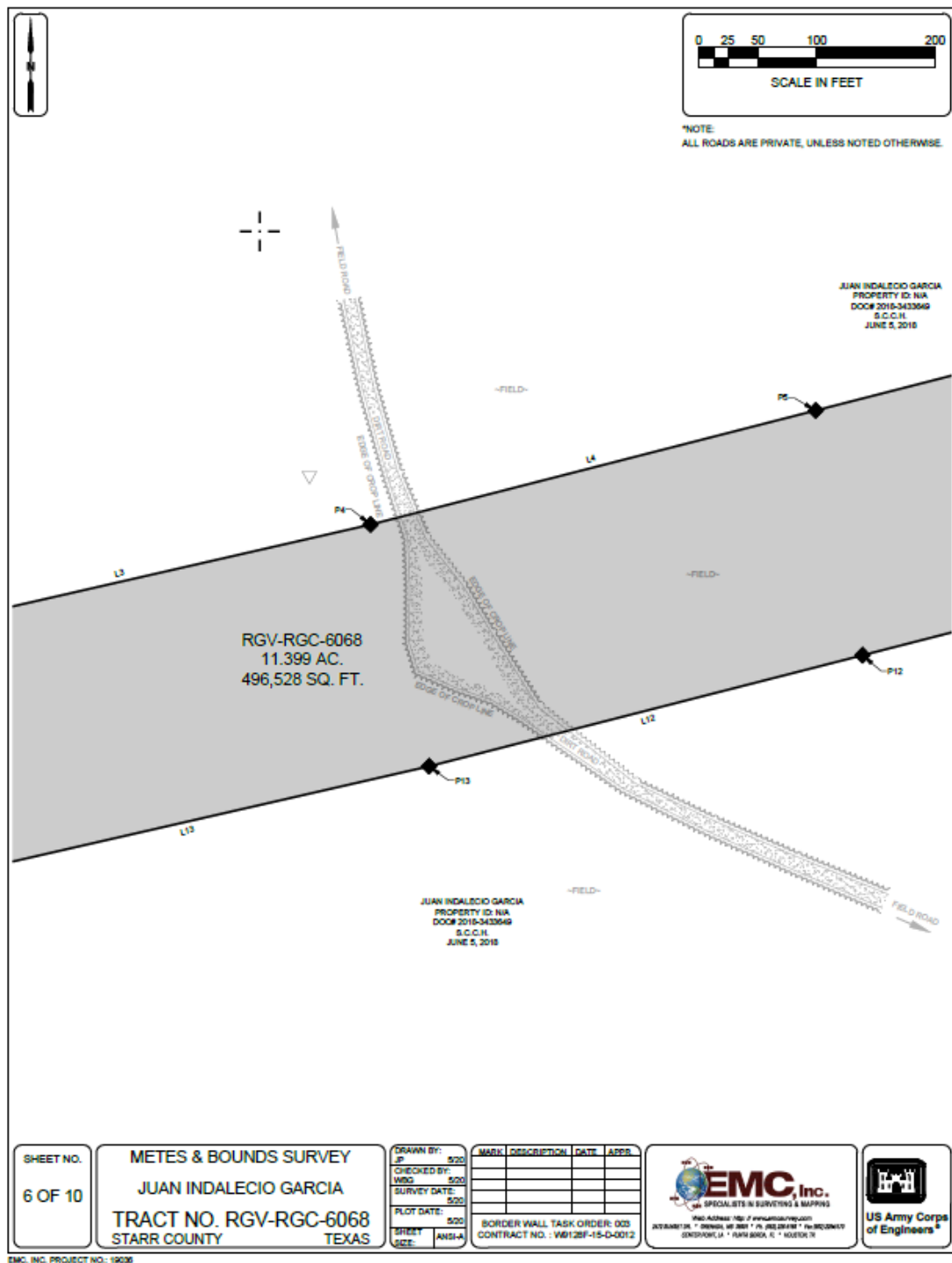
SCHEDULE C cont'd

Thence: S77°07'20"W along said Southern boundary, a distance of 400.91 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6068-6A for a Point on Line;

Thence: S77°07'20"W along said Southern boundary, crossing an existing 12 foot wide dirt road at 376 feet, a distance of 400.91 feet returning to the **Place of Beginning**.

SCHEDULE D

SCHEDULE D cont'd



SCHEDULE D cont'd

LEGEND:			
	FOUND MONUMENT (AS NOTED)		COMMUNICATION/TELEPHONE JUNCTION BOX/PEDESTAL
	SET MONUMENT		OVERHEAD COMMUNICATIONS/TELEPHONE LINE
	CONTROL POINT		UNDERGROUND COMMUNICATIONS/TELEPHONE LINE
	ACQUISITION BOUNDARY		UNDERGROUND FIBER OPTIC LINE
	PROPOSED ACQUISITION BOUNDARY		CATCH BASIN
	EASEMENT LINE		STORM GRATE
	PROPERTY LINE		STORM SEWER VALVE
	PORCION LINE		STORM MANHOLE
	EXISTING WALL		STORM SEWER
	LEVEE TOP BANK		CULVERT
	LEVEE TOE		HEADWALL AND WINGWALL
	EDGE OF ROAD (TYPE NOTED)		TOP OF DITCH
	GUARD RAIL		BOTTOM OF DITCH
	SAVE AND EXCEPT AREA		EDGE OF WATER
	EDGE OF SIDEWALK		WATER PUMP
	BUILDING OUTLINE (SEE LABEL)		MONITORING WELL
	FENCE (TYPE NOTED)		WATER VALVE
	EDGE OF STRUCTURE (SEE LABEL)		WATER METER
	BRIDGE OUTLINE		HYDRANT
	OVERHEAD ELECTRICAL LINE		WATER EXTINGUISHER/FAUCET/SPIGOT
	UNDERGROUND ELECTRICAL LINE		WATER MANHOLE
	LIGHT POLE		WATER LINE
	UTILITY POLE		LIFT STATION
	GUY END		PUMP STATION
	GUY POLE		SEWER CLEAN OUT
	JUNCTION BOX		SEWER MANHOLE
	ELECTRICAL MANHOLE		SEWER WATER PUMP
	ELECTRICAL METER		SANITARY SEWER VAULT
	ELECTRICAL PULL BOX		SANITARY SEWER LINE
	TRANSMISSION TOWER		GAS TANK
	SUBSTATION		GAS VALVE
	ELECTRICAL TRANSFORMER		GAS METER
	COMMUNICATIONS/TELEPHONE MANHOLE		GAS LINE MARKER
			GAS VAULT
			GAS LINE
			EDGE OF RIPRAP
			EDGE OF VEGETATION (TYPE NOTED)
			MISCELLANEOUS SYMBOL (SEE LABEL)
			S.C.C.H. (POUND) STARR COUNTY COURTHOUSE
			S.C.C.M. (POUND) STARR COUNTY CAD MAP
			WTH
			UNKNOWN
			ALUMINUM
			CONCRETE
			CULVERT
			POINT OF COMMENCEMENT
			POINT OF BEGINNING
			PAGE
			VOLUME
			MONUMENT
			FOUND IRON PIPE
			FOUND IRON ROD
			COTTON PICKER SPINDLE
			DISTURBED
			1 STORY FRAME HOUSE
			2 STORY FRAME HOUSE
			1 STORY BRICK HOUSE
			2 STORY BRICK HOUSE
			1 STORY COMMERCIAL BUILDING
			2 STORY COMMERCIAL BUILDING
			1 STORY STORE BUILDING
			2 STORY STORE BUILDING
			SHED WOOD FRAME
			SHED BRICK
			CHAIN LINK FENCE
			WOODEN FENCE
			STONE OR BRICK FENCE
			BARBED WIRE FENCE

GENERAL SURVEYOR'S NOTES:

- THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE COR92(11) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 0.9999496571 (E.G. GRID X 0.9999496571 = SURFACE).
- A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
- THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
- EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-11453.
- PORCION LINES ARE DERIVED FROM PUBLIC GIS INFORMATION.
- TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON DECEMBER 18, 2019 (TICKET NO. 1985258452).

SHEET NO. 9 OF 10	METES & BOUNDS SURVEY JUAN INDALECIO GARCIA TRACT NO. RGV-RGC-6068 STARR COUNTY TEXAS	DRAWN BY: P 5/20	MARK	DESCRIPTION	DATE	APPRO
		CHECKED BY: WBG 5/20				
		SURVEY DATE: 5/20				
		PLOT DATE: 5/20				
STREET SIZE: ANS1-A		BORDER WALL TASK ORDER: 003 CONTRACT NO.: W612BF-15-D-0012				

EMC, Inc.
 SPECIALISTS IN SURVEYING & MAPPING
PRO ADDRESS: 10017 FARMERS HIGHWAY
 AUSTIN, TX 78758 • PHONE: 817-886-1145 • FAX: 817-886-1147
 DENTON, TX • DALLAS, TX • HOUSTON, TX


US Army Corps of Engineers

EMC, INC. PROJECT NO.: 19036


SCHEDULE D cont'd

PARCEL TABLE					
MONUMENT/LINE/CURVE#	MONUMENT NAME	NORTHING	EASTING	DISTANCE	DIRECTION
P1	RGV-RGC-6065-1=6068-1	16659900.09	871978.65		
L1				219.73'	N29°59'17"W
P2	RGV-RGC-6065-4=6068-2	16660090.40	871868.82		
L2				431.86'	N77°07'20"E
P3	RGV-RGC-6068-2A	16660186.65	872289.82		
L3				431.86'	N77°07'20"E
P4	RGV-RGC-6068-3	16660282.90	872710.82		
L4				388.05'	N75°37'45"E
P5	RGV-RGC-6068-3A	16660379.21	873086.73		
L5				388.05'	N75°37'45"E
P6	RGV-RGC-6068-3B	16660475.52	873462.63		
L6				388.05'	N75°37'45"E
P7	RGV-RGC-6068-3C	16660571.84	873838.54		
L7				388.05'	N75°37'45"E
P8	RGV-RGC-6047-1=6068-4	16660668.15	874214.44		
L8				214.52'	S02°35'10"E
P9	RGV-RGC-6047-8=6068-5	16660453.84	874224.12		
L9				377.78'	S75°37'45"W
P10	RGV-RGC-6068-5A	16660360.08	873858.16		
L10				377.78'	S75°37'45"W
P11	RGV-RGC-6068-5B	16660266.32	873492.21		
L11				377.78'	S75°37'45"W
P12	RGV-RGC-6068-5C	16660172.55	873126.25		
L12				377.78'	S75°37'45"W
P13	RGV-RGC-6068-6	16660078.79	872760.29		
L13				400.91'	S77°07'20"W
P14	RGV-RGC-6068-6A	16659989.44	872369.47		
L14				400.91'	S77°07'20"W

SHEET NO. 10 OF 10	METES & BOUNDS SURVEY JUAN INDALECIO GARCIA TRACT NO. RGV-RGC-6068 STARR COUNTY TEXAS	DRAWN BY: JF	DATE: 5/20	<table border="1"> <tr> <th>MARK</th> <th>DESCRIPTION</th> <th>DATE</th> <th>APPROVED</th> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	MARK	DESCRIPTION	DATE	APPROVED												
		MARK	DESCRIPTION		DATE	APPROVED														
CHECKED BY: WBG	DATE: 5/20																			
SURVEY DATE: 5/20																				
PLOT DATE: 5/20 SHEET SIZE: A(24" x 36")	BORDER WALL TASK ORDER: 003 CONTRACT NO.: W612BF-15-D-0012																			



EMC, Inc.
SPECIALISTS IN SURVEYING & MAPPING
ATTN: 800-777-7777 • 11111 FARM ROAD, SUITE 100 • FARMERSVILLE, TX 77936



US Army Corps of Engineers

EMC, INC. PROJECT NO.: 19036

Tract: RGV-RGC-6068
 Owner: Juan Indalecio Garcia
 Acreage: 11.399

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Starr County, Texas

Tract: RGV-RGC-6068
Owner: Juan Indalecio Garcia
Acres: 11.399

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of land described in conveyances recorded with Official Records of Starr County, Texas, document number 2018-3433649, and document number 2018-344786, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

SCHEDULE E cont'd



SCHEDULE F

SCHEDULE F








ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is SIXTY FIVE THOUSAND SEVEN HUNDRED FIFTY EIGHT DOLLARS AND NO/100 (\$65,758.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Juan Indalecio Garcia       	RGV-RGC-6068 General Warranty Deed, Document #2018-344786; Recorded August 29, 2018 Official Records of Starr County General Warranty Deed, Document #2018-343649; Recorded June 25, 2018 Official Records of Starr County
Ameida Salinas Tax Assessor/Collector 100 North FM 3167, Suite 201 Rio Grande City, Texas 78582	Taxing Authority

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Hilda M. Garcia Concepción, United States Attorney's Office, SDTX,
1701 West Bus. Hwy. 83, Suite 600, McAllen, TX 78501

DEFENDANTS

11.399 Acres of land, more or less, Situate in Starr County, State of Texas; and Juan Indalecio Garcia,

County of Residence of First Listed Defendant Starr County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
		<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	
		LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate, and maintain border security

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ _____
UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

12/22/2020

SIGNATURE OF ATTORNEY OF RECORD

s/ Hilda Garcia Concepcion

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____